



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

January 9, 2024

By ECF

The Honorable Valerie Figueredo
United States Magistrate Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007

Re: *New York Times Co. v. DOD*, 22 Civ. 10299 (GHW) (VF)

Dear Judge Figueredo:

I write respectfully on behalf of all parties to provide a status report in the above-captioned action brought under the Freedom of Information Act (“FOIA”). This action involves FOIA requests submitted by Charlie Savage, a reporter with The New York Times Company (collectively, the “Times”), to the Department of Defense (“DoD”) and its component, the United States Special Operations Command (“SOCOM”). As reported in a prior status letter, the FOIA requests to DoD have been resolved. This report addresses the status of the remaining request to SOCOM.

The FOIA request to SOCOM seeks (1) policy guidance governing the use of authority under 10 U.S.C. § 127e, 10 U.S.C. § 333, and the National Defense Authorization Act of 2018, and (2) reports periodically provided to Congress, and slide decks from briefings to Congress, since January 1, 2018, concerning the use of authority under the same three statutes. SOCOM located six records responsive to this request and completed its productions of non-exempt records or portions of records on November 30, 2023. In addition, as reported in the last status letter, another DoD component conducted a supplemental search for records responsive to the SOCOM request. That supplemental search identified additional responsive records, which DoD is now processing. DoD expects to complete processing and make a final production of non-exempt records responsive to the SOCOM request by the end of February.

The parties respectfully propose to submit a further status report within 60 days, or by March 11, 2024.

Application Granted

Valerie Figueredo, U.S.M.J.

DATED: January 10, 2024

The parties are directed to file a status update by **March 11, 2024**.

We thank the Court for its consideration of this submission.

Respectfully submitted,

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